

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 2-5, 8-30, and 32 are currently pending. Claims 33-36 have been added. Claims 8, 17, 23, and 32 are independent and are hereby amended. No new matter has been introduced. Support for this amendment is provided throughout the Specification as originally filed.

Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §103

Claims 8, 3, 4, 9-13, 15-17, 19, 21-27, and 29-30 were rejected under 35 U.S.C. §103 as allegedly unpatentable over U.S. Patent No. 7,013,477 to Nakamura et al. (hereinafter, merely “Nakamura”) in view of U.S. Patent No. 6,973,669 to Daniels in view of U.S Patent No. 5,027,400 to Baji et al. (hereinafter, merely “Baji”) in view of U.S. Patent No. 6,285,818 to Suito et al. (hereinafter, merely “Suito”) and further in view of U.S. Patent No. 6,564,379 to Knudsen et al. (hereinafter, merely “Knudsen”);

Claims 2 and 18 were rejected under 35 U.S.C. §103 as allegedly unpatentable over **Nakamura, Daniels, Baji, Suito, Knudsen** and further in view of U.S. Patent Application Publication No. 2002/0019769 of **Barritz** et al. (hereinafter, merely “**Barritz**”);
Claims 5, 14, 20, and 28 were rejected under 35 U.S.C. §103 as allegedly unpatentable over **Nakamura, Daniels, Baji, Suito, Knudsen** and further in view of U.S. Patent Application Publication No. 2003/0192060 of **Levy**; and

Claim 32 was rejected under 35 U.S.C. §103 as allegedly unpatentable over **Nakamura** and **Baji**.

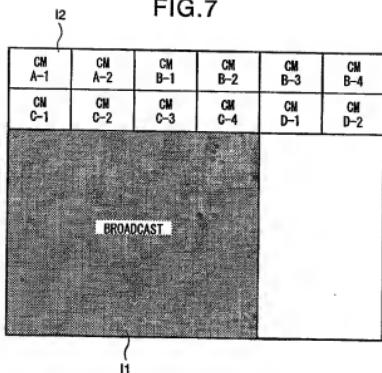
Applicants respectfully traverse these rejections.

Claim 32 is representative and recites, *inter alia*:

“wherein the reproducing reproduces the broadcast portions together with information related to each of a plurality of broadcast commercial portions, said information related to each of a plurality of broadcast commercial portions being displayed in a line at an upper portion of the display according to the sequence of reproduction”

When the recorded broadcast portions are reproduced, also reproduced together with broadcast portions is information corresponding to the broadcast commercial portions of the broadcast, for example, still images of the header portions of the broadcast commercial portions or text, graphics, etc. indicating information relating to the broadcast commercial portions. The information corresponding to the broadcast commercial portions are displayed in a line at an upper portion of the display that is also displaying the broadcast program. Moreover, the information corresponding to the broadcast commercial portions are displayed according to the sequence of reproduction of the broadcast commercial portions. This is illustrated in FIG. 7 of the as-filed specification.

FIG.7



Note, the broadcast commercial portions are arrayed at the top of the display in the sequence received in the broadcast program information. Publ. App. par. [0096]-[0097] and FIG 7.

Claim 32 also recites, *inter alia*:

“wherein a commercial broadcast information is reproduced in any desired order by selection from the information displayed in a line at the upper portion of the display.”

That is, the information corresponding to the broadcast commercial portions are displayed in the line on the display screen as in FIG. 7. A particular broadcast commercial portion is selected for viewing by an instruction from the user. When a commercial broadcast is designated for viewing, the broadcast being reproduced is interrupted the designated broadcast commercial portion is reproduced. Publ. App. par. [0098]-[0101]

Claim 32 is believed patentable over the cited references because those references taken alone or in combination do not teach, suggest, or disclose each and every element recited in the claim.

Independent claims 8, 17, and 23 are believed patentable for substantially the same reasons as claim 8.

III. NEW CLAIMS

Claims 33-26 have been added. Claim 36 is representative and recites:

“wherein the information related to a selected one of the plurality of broadcast commercial portions is erased from the line at the upper portion of the display device after the reproduction of the selected broadcast commercial portion.”

That is, claim 36 adds the feature that the information related to the broadcast commercial portions that are displayed in a line at the top of the display device are erased from the display device after the reproduction of the corresponding broadcast commercial portion.

IV. DEPENDENT CLAIMS

The other claims are dependent from one of the claims discussed above and are therefore believed patentable for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

Claims 2-5, 8-30, and 32 are in condition for allowance. In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By: _____


Paul A. Levy
Reg. No. 45,748
(212) 588-0800